

PUBLIC NOTICE

SP-483 NJMC Stormwater and Floodplain Management Rulemaking Proposal

PLEASE TAKE NOTICE that the New Jersey Meadowlands Commission (NJMC) is proposing amendments to the NJMC regulations regarding stormwater and floodplain management. The proposed amended regulations will appear in the November 7, 2005 New Jersey Register.

PLEASE TAKE NOTICE that a public hearing on this matter will be held on Tuesday, December 6, 2005, at 10:00 AM at the Office of the Commission, One DeKorte Park Plaza, Lyndhurst, New Jersey.

Specifically, N.J.A.C. 19:4-8.6, regarding drainage, and N.J.A.C. 19:4-9.1 et seq., regarding floodplain management, are proposed to be amended. The following is a summary of the matter:

The NJMC regulates the construction and alteration of stormwater conveyance systems in order to, per N.J.A.C. 19:4-1.2(a)14, control surface water runoff and prevent flooding and other damage to land and to encourage the control of soil erosion and sedimentation.

The New Jersey Department of Environmental Protection (NJDEP) adopted new Stormwater Management Rules, N.J.A.C. 7:8, on February 3, 2004, two weeks prior to the NJMC drainage rule changes, which were adopted on February 17, 2004. The Stormwater Management Rules are enforced by the NJMC per N.J.A.C. 19:4-8.6(b)1, however the NJMC's revised drainage regulations, N.J.A.C. 19:4-8.6, do not fully conform with the requirements of the Stormwater Management Rules. The lack of conformity is due both to the independent development of the drainage regulations and Stormwater Management Rules, as well as the unique hydrologic nature of the Meadowlands.

As a result of the need to more closely conform to NJDEP regulations and to further the goal of reducing chronic flooding within the Meadowlands District, the NJMC is proposing to amend N.J.A.C. 19:4-8.6.

The Department of Homeland Security's Federal Emergency Management Agency (FEMA) has developed criteria for floodplain management, as required under Section 206 of the Flood Disaster Protection Act of 1973 (P.L. 93-234) and the National Flood Insurance Act of 1968, as amended, (Title XIII of the Housing and Urban Development Act of 1968, P.L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65.

The NJMC participates in the National Flood Insurance Program's (NFIP) Community Rating System (CRS), a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. As a result of this participation, the NJMC is developing the Hackensack Meadowlands Floodplain Management Plan ("Plan"). The development of the Plan highlighted a number of minor updates necessary to N.J.A.C. 19:4-8.6 to further the goal of reducing flooding.

Another benefit of participation in the NFIP CRS program is that flood insurance premium rates within the Hackensack Meadowlands District are discounted to reflect the reduced flood risk resulting from community actions meeting the three goals of the CRS to: (1) reduce flood losses; (2) facilitate accurate insurance rating; and (3) promote the awareness of flood insurance.

As a condition of continued eligibility in the NFIP, the NJMC must remain in compliance with 44 CFR Section 60.3(d) of the NFIP regulations by amending or supplementing the existing floodplain management measures in effect to reflect the latest Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) modifications.

This statement is intended only as a summary of the proposed amendments. Please refer to the full text of the proposal as published in the New Jersey Register for details of the proposed rule amendments.

Written comments may be submitted by the close of business on January 6, 2006 to:

Ileana Kafrouni, P.P., AICP
Director of Land Use Management
New Jersey Meadowlands Commission
One DeKorte Park Plaza
Lyndhurst, New Jersey 07071

Written comments may also be submitted at the public hearing. It is requested (but not required) that anyone submitting written comments also include a diskette containing an electronic version, preferably in Microsoft Word, of the written comments with the submission. Also, it is requested (but not required) that anyone submitting oral testimony at the public hearing provide a written copy of any prepared text to the stenographer at the hearing.

Interested persons may obtain a copy of the proposed amendments after November 7, 2005 through the following methods:

1. The full text of the agency proposal may be found in the November 7, 2005 New Jersey Register.
2. The agency proposal may be downloaded electronically from the Commission's website. It may be accessed at http://www.njmeadowlands.gov/land_use/index.cfm.
3. The agency proposal may be inspected during normal office hours at the Commission's Public Information Center at One DeKorte Park Plaza in Lyndhurst, which may be contacted at (201) 460-1700.

If there are any questions, or if special requirements are needed under the Americans with Disabilities Act (ADA), please contact Sara Sundell of this Office at (201) 460-1700, during regular business hours.

NEW JERSEY MEADOWLANDS COMMISSION

Robert R. Ceberio, Executive Director

Dated: November 3, 2005